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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DANIEL DURBAN,

11 Plaintiff,

12 v.

13 GOLDEN STATE WATER
14 COMPANY,

15 Defendant.

CASE NO. C17-1570 MJP

ORDER OF DISMISSAL
WITHOUT PREJUDICE

16 Plaintiff, proceeding *pro se*, filed a complaint (Dkt. No. 1) which has been assigned to
17 this Court. The Court has reviewed Plaintiff's pleadings and concluded that his case cannot be
18 litigated in this district.

19 All of the conduct and conditions of which Plaintiff complains occurred in California
20 (apparently in the Los Angeles area). Therefore, his claims arose in the Central District of
21 California and not in the Western District of Washington. Accordingly, venue is proper in the
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1 Central District of California and not here. *See* 28 U.S.C. § 1391(b)¹. When a case is filed in the
2 wrong district, the district court "shall dismiss, or if it be in the interest of justice, transfer such
3 case to any district or division in which it could have been brought." 28 U.S.C. § 1406(a).
4 Plaintiff will not be prejudiced by dismissal of the instant complaint as there is nothing to
5 prevent him from re-filing it in the Central District of California. Therefore,

6 IT IS ORDERED that the above-entitled matter is DISMISSED without prejudice to re-
7 file the claims in the proper district.

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9 The clerk is ordered to provide copies of this order to Plaintiff.

10 Dated: October 26, 2017.

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13 Marsha J. Pechman
14 United States District Judge
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23 ¹ Venue would also be proper in any district in which the defendant resides. *See* 28
24 U.S.C. § 1391(b). It appears that the Defendant resides in the Central District of California as well.